IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 192(S/S)2002
(Old no. 32778/93)

Satendra Kumar S/o Sri Banwari Lal,
Resident of Mohalla Mukteshwar Mahadeo,
Nazibabad, District Bijnor. ---- Petitioner

Vs.

Bijnor Division Forest Officer,
Kotdwar,
District Pauri Garhwal. --- Respondents.

Sri P.C. Jhingan, learned counsel for the petitioner.
Sri H.M. Raturi, learned Standing Counsel for the State of Uttarakhand.

Hon'ble M.M. Ghildiyal, J.

Heard Sri P.C. Jhingan, learned counsel for the petitioner. Sri H.M. Raturi, learned Standing Counsel for the State of Uttarakhand.

By means of this writ petition, the petitioner has prayed for the following reliefs:-

i. An order or a direction or a writ of certiorari quashing the impugned order dated 07.04.1993 (annexure-15) passed by the opposite party, terminating the petitioner's services w.e.f. 10.04.1993,

ii. An order or a direction or a writ of mandamus directing the opposite party to regularize the petitioner's service and he may be treated in continuous service,

iii. An order or a direction or a writ of mandamus directing the opposite party to pay his back wages with

effect from September 1992 to 10.04.193 and continue to pay him in future,

iv. An order or a direction or a writ of mandamus to grant any other relief this Hon'ble Court may deem fit and proper in this case,

v. To allow the petition with cost.

The petitioner is the resident of District Bijnor, State of Uttar Pradesh. The Divisional office of the respondents was situated at Kotdwar, district Pauri Garhwal; while the services of the petitioner were terminated. After creation of State of Uttarakhand, the said Division has been shifted at Nazibabad and office of the said Division is situated at Nazibabad in State of Uttar Pradesh. Since the petitioner' native as well as the establishment of the respondent are not with the territorial jurisdiction of State of Uttarakhand, the petitioner, for redressal of his grievances, may file fresh petition before the High Court at Allahabad. Thus, the present writ petition is not maintainable for want of territorial jurisdiction.

The writ petition, thus, is dismissed.

Civil Misc. Transfer application no. 729 of 2007 stands disposed of accordingly.

(M.M. Ghilidyal, J.)

April 18, 2007:
NCM: